

SUMMONS (CITACION JUDICIAL)

SUM-100

NOTICE TO DEFENDANT: City of Ventura, American Medical Response,
(AVISO AL DEMANDADO): Clinicas Del Camino Real, Inc., Dr. Shadi Khatib,
Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board
of Regents

OCT 31 2017

YOU ARE BEING SUED BY PLAINTIFF: Jessika Valenzuela & Eduardo
(LO ESTÁ DEMANDANDO EL DEMANDANTE): Ramirez, *[Signature]*

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)VENTURA
SUPERIOR COURT
FILED

FEB 23 2017

MICHAEL D. PLANET

BY: *[Signature]* DEBRA RAMOS, Deputy

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. NOTE: The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por inatención y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o al colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 o más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desochar el caso.

The name and address of the court is:

(El nombre y dirección de la corte es):
SUPERIOR COURT OF CALIFORNIA
800 S. VICTORIA AVENUE
P.O. BOX 6489
VENTURA, CA 93009

CASE NUMBER:
56-2017-00493194-CU-PO-VTA

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Angela D. Quintero; SB 219594 805-654-1292 805-654-1908 fax
The Law Offices of Angela D. Quintero
840 County Square Dr. Suite 215
Ventura, CA 93003

DATE: 2-23-2017

Michael D. Planet

Clerk, by

DEBRA RAMOS

Deputy

(Fecha)

FEB 23 2017

(Secretario)

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.2. ☐ as the person sued under the fictitious name of (specify):3. ☒ on behalf of (specify): *Clinicas Del Camino Real, Inc.*under: ☒ CCP 416.10 (corporation)☐ CCP 416.20 (defunct corporation)☐ CCP 416.40 (association or partnership)☐ other (specify): Business Entity☐ CCP 416.60 (minor)☐ CCP 416.70 (conservatee)☐ CCP 416.90 (authorized person)4. ☐ by personal delivery on (date):

Page 1 of 1

Form Adopted for Mandatory Use
Judicial Council of California
SUM-100 (Rev. July 1, 2006)

SUMMONS

Legal
Solutions
CA Plus

Code of Civil Procedure §§ 412.20, 465

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State bar number, and address): Angela Quintero; SB 219594 The Law Offices of Angela Quintero 840 County Square Dr, Suite 215 Ventura, CA 93003 TELEPHONE NO: 805-654-1292 FAX NO. (Optional): 805-654-1908 E-MAIL ADDRESS (Optional): acurtislaw@gmail.com ATTORNEY FOR (Name): Jessika Valenzuela	FOR COURT USE ONLY VENTURA SUPERIOR COURT FILED FEB 23 2017 MICHAEL D. PLANET Executive Officer and Clerk By: <u>DEBRA RAMOS</u> Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: 800 S. VICTORIA AVENUE MAILING ADDRESS: P.O. BOX 6489 CITY AND ZIP CODE: VENTURA, CA 93009 BRANCH NAME: HALL OF JUSTICE PLAINTIFF: Jessika Valenzuela & Eduardo Ramirez	
DEFENDANT: City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents <input checked="" type="checkbox"/> DOES 1 TO 25	
COMPLAINT—Personal Injury, Property Damage, Wrongful Death <input type="checkbox"/> AMENDED (Number): Type (check all that apply): <input type="checkbox"/> MOTOR VEHICLE <input type="checkbox"/> OTHER (specify): <input type="checkbox"/> Property Damage <input checked="" type="checkbox"/> Wrongful Death of Gabriel R. Ramirez <input checked="" type="checkbox"/> Personal Injury <input checked="" type="checkbox"/> Other Damages (specify):	
Jurisdiction (check all that apply): <input type="checkbox"/> ACTION IS A LIMITED CIVIL CASE Amount demanded <input type="checkbox"/> does not exceed \$10,000 <input type="checkbox"/> exceeds \$10,000, but does not exceed \$25,000 <input checked="" type="checkbox"/> ACTION IS AN UNLIMITED CIVIL CASE (exceeds \$25,000) <input type="checkbox"/> ACTION IS RECLASSIFIED by this amended complaint <input type="checkbox"/> from limited to unlimited <input type="checkbox"/> from unlimited to limited	CASE NUMBER: 56-2017-00493194-CU-PO-VTA

1. Plaintiff (name or names): Jessika Valenzuela & Eduardo Ramirez

alleges causes of action against defendant (name or names): City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

2. This pleading, including attachments and exhibits, consists of the following number of pages:

3. Each plaintiff named above is a competent adult

a. ☐ except plaintiff (name):

- (1) ☐ a corporation qualified to do business in California
- (2) ☐ an unincorporated entity (describe):
- (3) ☐ a public entity (describe):
- (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
- (5) ☐ other (specify):

b. ☐ except plaintiff (name):

- (1) ☐ a corporation qualified to do business in California
- (2) ☐ an unincorporated entity (describe):
- (3) ☐ a public entity (describe):
- (4) ☐ a minor ☐ an adult
 - (a) ☐ for whom a guardian or conservator of the estate or a guardian ad litem has been appointed
 - (b) ☐ other (specify):
- (5) ☐ other (specify):

☐ Information about additional plaintiffs who are not competent adults is shown in Attachment 3.

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

CASE NUMBER:

4. ☐ Plaintiff (name):

Is doing business under the fictitious name (specify):

and has complied with the fictitious business name laws.

5. Each defendant named above is a natural person

a. ☒ except defendant (name): City of Ventura on behalf of Ventura Police Department

(1) ☐ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☒ a public entity (describe): City of Ventura

(5) ☐ other (specify):

c. ☒ except defendant (name): Clinicas Del Camino Real, Inc.

(1) ☐ a business organization, form unknown

(2) ☒ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

b. ☒ except defendant (name): American Medical Response, Inc.

(1) ☒ a business organization, form unknown

(2) ☒ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

d. ☒ except defendant (name): UCLA, University of California, Board of Regents

(1) ☒ a business organization, form unknown

(2) ☐ a corporation

(3) ☐ an unincorporated entity (describe):

(4) ☐ a public entity (describe):

(5) ☐ other (specify):

☐ Information about additional defendants who are not natural persons is contained in Attachment 5.

6. The true names of defendants sued as Does are unknown to plaintiff.

a. ☒ Doe defendants (specify Doe numbers): 1-20 were the agents or employees of other named defendants and acted within the scope of that agency or employment.

b. ☒ Doe defendants (specify Doe numbers): 21-25 are persons whose capacities are unknown to plaintiff.

7. ☐ Defendants who are joined under Code of Civil Procedure section 382 are (names):

8. This court is the proper court because

a. ☐ at least one defendant now resides in its jurisdictional area.

b. ☐ the principal place of business of a defendant corporation or unincorporated association is in its jurisdictional area.

c. ☒ Injury to person or damage to personal property occurred in its jurisdictional area.

d. ☐ other (specify):

9. ☒ Plaintiff is required to comply with a claims statute, and

a. ☒ has complied with applicable claims statutes, or

b. ☐ is excused from complying because (specify):

PLD-PJ-001

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

CASE NUMBER:

10. The following causes of action are attached and the statements above apply to each (each complaint must have one or more causes of action attached):

- a. ☐ Motor Vehicle
- b. ☒ General Negligence
- c. ☐ Intentional Tort
- d. ☐ Products Liability
- e. ☐ Premises Liability
- f. ☒ Other (specify): Wrongful Death of Gabriel Ramirez, Medical Malpractice, Negligent Infliction of Emotional Distress, Intentional Infliction of Emotional Distress, Plaintiffs reserve the right to amend this complaint to include additional causes of action.

11. Plaintiff has suffered

- a. ☒ wage loss
- b. ☐ loss of use of property
- c. ☒ hospital and medical expenses
- d. ☒ general damage
- e. ☐ property damage
- f. ☐ loss of earning capacity
- g. ☒ other damage (specify): Non-economic damages for pain and suffering, as well as loss of companionship and love of decedent child. Funeral expenses, Burial Expenses. Plaintiffs reserve the right to amend this complaint to include additional damages.

12. ☒ The damages claimed for wrongful death and the relationships of plaintiff to the deceased are

- a. ☐ listed in Attachment 12.
- b. ☒ as follows:

Economic and Non-economic damages for pain and suffering, as well as loss of companionship and love of decedent child.

13. The relief sought in this complaint is within the jurisdiction of this court.

14. Plaintiff prays for judgment for costs of suit; for such relief as is fair, just, and equitable; and for

- a. (1) ☒ compensatory damages
 - (2) ☒ punitive damages
- The amount of damages is (In cases for personal injury or wrongful death, you must check (1)):
- (1) ☒ according to proof
 - (2) ☒ In the amount of: \$

15. ☐ The paragraphs of this complaint alleged on information and belief are as follows (specify paragraph numbers):

Date: 2-23-2017

Angela D. Quintero, Attorney for Plaintiffs
(TYPE OR PRINT NAME)


(SIGNATURE OF PLAINTIFF OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, and address): Angela Quintero; SB 219594 The Law Offices of Angela Quintero 840 County Square Dr. Suite 215 Ventura, CA 93003 TELEPHONE NO.: 805-654-1292 FAX NO.: 805-654-1908 ATTORNEY FOR (Name): Jessika Valenzuela		CIVIL-010 FOR COURT USE ONLY VENTURA SUPERIOR COURT FILED FEB 23 2017 MICHAEL D. PLANET Executive Officer and Clerk DEBRA RAMOS	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA STREET ADDRESS: 800 S. VICTORIA AVENUE MAILING ADDRESS: P.O. BOX 6489 CITY AND ZIP CODE: VENTURA, CA 93009 BRANCH NAME: HALL OF JUSTICE		BY: _____, Deputy	
CASE NAME: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khalil, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA		56-2017-00493194-CU-PO-VTA JUDGE: DEPT:	
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (48) Other PIPD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (46) <input checked="" type="checkbox"/> Other PIPD/WD (23) Non-PIPD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PIPD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (38) <input type="checkbox"/> Other employment (16)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☒ is ☐ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a. ☒ Large number of separately represented parties d. ☒ Large number of witnesses
- b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☒ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): 4 - Wrongful Death, Medical Malpractice, Intentional & Negligent Infliction of Emotional Distress
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 2-23-2017

Angela Quintero; SB 219594

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

Form Adopted for Mandatory Use
Judicial Council of California
CM-010 (Rev. July 1, 2007)

CIVIL CASE COVER SHEET

Legal
Solutions
& PlusCal. Rules of Court, rules 2.80, 3.220, 3.400-3.403, 3.740;
Cal. Standards of Judicial Administration, std. 3.10

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

CM-010

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check one box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the primary cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)
Employment
Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (26)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief from Late Claim
Other Civil Petition

PLD-PI-007(2)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents	CASE NUMBER:
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FIRST _____ **CAUSE OF ACTION—General Negligence**
 (number)

Page _____

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

☒ Does 1 _____ to 25 _____

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff
 on (date): 11/23/2015 as to Dr. Harake, Dr. Khatib, Clinicas, UCLA, & 11/30/15 as to ALL
 at (place): Oxnard, CA & Port Hueneme, CA
 resulting in death that occurred in Ventura, CA
 (description of reasons for liability):

I. Negligence:

Defendants owed a Duty of Care to Plaintiffs and their child, a patient of Defendants'.
 Defendants breached that duty owed to Gabriel Ramirez, deceased.
 Defendants' recklessness was a direct cause of death to Gabriel Ramirez.
 Plaintiffs have suffered damages as a result of the breach of duty owed by Defendants in an amount to be determined.

Plaintiffs took their 2 months old son, Gabriel Ramirez to Dr. Bilal Harake, Pediatric Cardiologist and an Employee of UCLA Hospital, for a follow up visit on 11/23/2015. On 10/12/2015, Dr. Harake told the plaintiffs that the baby's heart looked "beautiful" and the holes in his heart were closing beautifully, to return on 11/23/2015. At the follow up visit on 11/23/2015 at 10:45 am, Dr. Harake again expressed his happiness that baby Gabriel's heart looked "beautiful" and the hole he was born with had healed. Plaintiffs expressed concern over baby Gabriel's congestion he appeared to have. Dr. Harake indicated that it looks like the baby has "pink eye" and instructed them to take the baby to his pediatrician, but not to worry about anything serious. Dr. Harake did not do a chest XRay, blood work or urine testing on baby Gabriel.

On 11/23/2015 at 12:57 pm, Dr. Khatib at Clinicas Del Camino Real Marvilla, assessed Gabriel Ramirez and diagnosed him with "ACUTE UPPER RESPIRATORY INFECTION & CONJUNCTIVITIS". Dr. Khatib recommended that the plaintiffs put their son in a steamy shower to treat his respiratory infection. Plaintiffs informed Dr. Khatib that they were concerned because their older son (a toddler) was sick and that the baby had not had any of his immunizations yet. Dr. Khatib recklessly disregarded their concerns & went on to the next patient. Dr. Khatib did not take any XRAYs, blood work or urine of baby Gabriel. Baby Gabriel died of a bacterial infection that could've been resolved with antibiotics.

PLD-PI-001(2)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

CASE NUMBER:

SECOND CAUSE OF ACTION—General Negligence
(number)

Page _____

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): Clinicas Del Camino Real, Inc.,
Dr. Shadi Khatib,
Dr. Bilal Harake, M.D., FAAP, FACC,
University of California UCLA, Board of Regents

☒ Does 1 to 25

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 11/30/2015

at (place): Ventura, CA

(description of reasons for liability):

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS:

Plaintiffs claim that defendants' conduct caused them to suffer serious emotional distress.

1. That Dr. Khatib, all nursing staff of Clinicas on duty on 11/23/2015 between 1-3pm who provided treatment to Gabriel Ramirez and Dr. Harake & his nursing staff were negligent;
2. That Jessika Valenzuela and Eduardo Ramirez suffered serious emotional distress; and
3. That Defendants' negligence was a substantial factor in causing Plaintiffs' serious emotional distress.

Emotional distress including suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, and shame. Serious emotional distress exists if an ordinary, reasonable person would be unable to cope with it. Dealing with an unexpected, sudden and PREVENTABLE death of their newborn child has resulted in serious emotional distress to the plaintiffs.

PLD-PI-001(2)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc.

CASE NUMBER:

THIRD CAUSE OF ACTION—General Negligence
(number)

Page _____

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): City of Ventura, American Medical Response

☒ Does 1 to 25

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date): 11/30/2015

at (place): VENTURA, CA

(description of reasons for liability):

NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS:

Plaintiffs claim that defendants' conduct caused them to suffer serious emotional distress.

1. That on 11/30/2015, Ventura Police Department Officers responding to the scene at 10550 Loma Vista Road, Ventura, CA and AMR Ambulance Service Paramedics were negligent in refusing to allow a known relative or parent travel with baby Gabriel Ramirez to the hospital prior to his death or follow behind the ambulance to be with Gabriel prior to his passing; By detaining all witnesses present, including the plaintiffs, despite pleas of the relatives to allow someone to be with baby Gabriel, VPD officers and ambulance personnel refused to allow any other adults to be present with baby Gabriel. Despite plaintiffs offering to give statements and the hospital and begging VPD officers to allow them to be with their newborn baby, they were denied the opportunity to do so. By the time that plaintiffs were released from police interviews, baby Gabriel was dead.

2. That Jessika Valenzuela and Eduardo Ramirez suffered serious emotional distress; and

3. That Defendants' negligence was a substantial factor in causing Plaintiffs' serious emotional distress.

Emotional distress including suffering, anguish, fright, horror, nervousness, grief, anxiety, worry, shock, humiliation, and shame. Serious emotional distress exists if an ordinary, reasonable person would be unable to cope with it. Enduring the grief and mental anguish of their baby being alone when he died, without his mother or father allowed to be with him, resulted in extreme emotional distress to both plaintiffs.

PLD-PI-001(2)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc.; Dr. Shadi Khatib, Dr. Bilal Harake, MD, FAAP, FACC, University of California UCLA Board of Regents

CASE NUMBER:

FOURTH CAUSE OF ACTION—General Negligence
(number)

Page _____

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): Dr. Bilal Harake, M.D., FAAP, FACC; University of California UCLA Board of Regents

☒ Does 1 _____ to 25 _____

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff

on (date):

at (place):

(description of reasons for liability):

MEDICAL MALPRACTICE

Dr. Bilal Harake, M.D., FAAP, FACC; through the University of California UCLA Board of Regents and their nurses were negligent when he/they failed to use the level of skill, knowledge, and care in diagnosis and treatment that other reasonably careful pediatric cardiologists would use in the same or similar circumstances. He failed to adhere to a reasonable standard of care in his profession.

Other physicians in his same position would have ordered a blood draw, a urine sample and a chest XRay in the same or similar circumstances, as will be established by the expert witnesses who will testify in this case.

PLD-PI-001(2)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc.	CASE NUMBER:
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FIFTH CAUSE OF ACTION—General Negligence
(number)

Page _____

ATTACHMENT TO ☒ Complaint ☐ Cross - Complaint

(Use a separate cause of action form for each cause of action.)

GN-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): Dr. Shadi Khatib, Clinicas Del Camino Real Marvella

☒ Does _____ to 25 _____

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant negligently caused the damage to plaintiff
on (date): 11/23/2015 and 11/30/2015
at (place): Oxnard, California (11/23/2015) resulting in the death in Ventura, Ca on 11/30/2015

(description of reasons for liability):

MEDICAL MALPRACTICE

Dr. Shadi Khatib was negligent when he failed to use the level of skill, knowledge, and care in diagnosis and treatment that other reasonably careful pediatricians or general medical doctors would use in the same or similar circumstances. He failed to adhere to a reasonable standard of care in his profession.

Other physicians in his same position would have ordered a blood draw, a urine sample and a chest XRay in the same or similar circumstances, as will be established by the expert witnesses who will testify in this case.

PLD-PI-001(3)

SHORT TITLE: Valenzuela & Ramirez vs. City of Ventura, American Medical Response, Clinicas Del Camino Real, Inc., Dr. Shadi Khatib, Dr. Bilal Harake, M.D., FAAP, FACC, University of California UCLA, Board of Regents

CASE NUMBER

SIXTH

CAUSE OF ACTION—Intentional Tort

Page _____

(number)

ATTACHMENT TO ☒ Complaint ☐ Cross-Complaint

(Use a separate cause of action form for each cause of action.)

IT-1. Plaintiff (name): Jessika Valenzuela & Eduardo Ramirez

alleges that defendant (name): City of Ventura, American Medical Response

☒ Does 1 _____ to 25 _____

was the legal (proximate) cause of damages to plaintiff. By the following acts or omissions to act, defendant intentionally caused the damage to plaintiff

on (date): 11-30-2015

at (place): Ventura, California

(description of reasons for liability):

Plaintiffs claim that Ventura Police Department Police Officers' & AMR's conduct caused them to suffer severe emotional distress.

1. That Defendants' conduct was outrageous;
2. That the Officers responding intended to cause plaintiffs emotional distress;
- or That Defendants' agents acted with reckless disregard of the probability that the Plaintiffs would suffer emotional distress, knowing that Plaintiffs were present when the conduct occurred;
3. That Jessika Valenzuela and Eduardo Ramirez suffered severe emotional distress; and
4. That Defendants' conduct was a substantial factor in causing Plaintiff severe emotional distress.

On 11/30/2015, Plaintiffs' witnesses dialed 911 requesting an ambulance to 10550 Loma Vista Road, Ventura, CA because baby Gabriel Ramirez had stopped breathing. Paramedics arrived 30 minutes later. Ventura Police Department officers arrived & detained both Plaintiffs for questioning. Plaintiffs agreed to cooperate with the investigation but asked permission for one relative of the baby's to ride with the baby in the ambulance. VPD Officers refused to allow anyone to accompany the baby to the hospital & detained everyone for questioning. VPD officers refused to allow the parents to leave and follow the ambulance, requiring them to remain at the house for questioning for an additional 30 minutes. Baby Gabriel Ramirez (age 2 months), died alone at the hospital without his parents being allowed to be there with him when he died. This has resulted in extreme emotional trauma and distress on both parents.

Despite the parents telling the officers that the baby had been sick, officers insisted that the parents possibly suffocated the baby and made traumatic allegations against the plaintiffs. Gabriel Ramirez's cause of death was ruled to be ACUTE BRONCHOPNEUMONIA, Sepsis and Haemophilus Influenzae.

Plaintiffs allege that Defendants engaged in reckless conduct by:

1. Having a Duty to respond timely and Failing to respond timely to an emergency situation
2. Drafted false reports regarding their response time
3. Engaged in Negligent Infliction of Emotional Distress by refusing to allow a family member to accompany Baby Gabriel to the hospital, having a reckless disregard for the trauma caused to plaintiffs by their actions.
4. Engaged in Negligent Infliction of Emotional Distress by questioning the parents as to their culpability in the death of their newborn.